

Records Management Workshop
Sponsored by the Westford Records and Archives Management Committee (RAMC)
J. V. Fletcher Library, Westford, MA
May 17, 2006
Minutes

Attendees:

Cheryl Accardi, Tax Collector's Office
Judy Chaffee, School Dept.
Alice Ferro, Town Accountant
Sheila Finegan, Roudenbush Community
Center staff
Mr. Terry French, Senior Records &
Information Manager from Mass. Archives
(617-727-4062, ext. 259;
terry.french@sec.state.ma.us)
Tina Glidden, Planning & Zoning
Jane Hinckley, Historical Commission &
RAMC
Jarrod Joyce, Office Manager for Fire Dept.
Laurie Lessard, Board of Health
Nancy Lima, Building Dept.

John Livsey, Town Engineer
Darren R. MacGaughey, Board of Health
Ann McEnnis, Assistant Treasurer
Ginny Moore, J.V. Fletcher Library & RAMC
Bob Oliphant, Historical Society & RAMC
Bill Olsen, School Dept.
Katherine Pouliopoulos, Roudenbush
Community Center Director
Pat Savage, Parks, Recreation & Cemeteries
Rita M. A. Shipley, Town Clerk's Office
Kaari Tari, Town Clerk & RAMC
Kathy Thompson, PSBC
Michelle Wilson, Human Resources
Coordinator at School Dept.

Introductions:

Kaari Tari welcomed everyone and introduced the RAMC members and chair, Ginny Moore.

Ginny spoke about the importance of records preservation, which she illustrated with the 1774 Westford Solemn League and Covenant in the library's collection (available on the library web site, www.westfordlibrary.org) signed by many Westford residents who pledged not to import goods from Great Britain. She referenced the state grant we received in 2000 to survey our town records. The survey revealed many problems with the storage and preservation of important town records (available on the town's web site, <http://www.westford-ma.gov/generalinfo/documents/wrap/cover.htm>). We have received subsequent grants from the CPC for records preservation. A senior town volunteer has been cataloging town records and placing them in acid-free folders. Ginny described several other records in the Library's collection that were available for review by workshop attendees. We all have a mission to preserve our town records.

Kaari then asked everyone present to identify themselves and their office, which was done.

Kaari introduced Mr. Terry French, Senior Records & Information Manager from the Massachusetts Archives, who spoke about state record collection requirements for public records custodians.

Mr. Terry French's Presentation (with questions and answers identified as they were asked)

The last few years have been good for public records. The Enron scandal highlighted the importance of records management. The Sarbanes-Oxley Act set specific requirements for the management of business records.

Information technology has exploded so fast that government regulations have not been able to keep up. Our jobs have changed significantly. In addition to the old snail mail, we now have email to read and respond to (through email or via telephone), voice mail messages (which we may have to listen to several times), and faxes. We are in an information explosion. How do we process it all?

The paperless office predicted ten years ago has not happened. In fact we are getting more paper – from computer printouts, emails, faxes. We will have to deal with paper all of our working lives. We, as public records custodians, are responsible for these records.

Chapter 66 of our State Law covers public records. The State Supervisor of Public Records oversees all the records of the commonwealth and of its cities & towns. Mr. French's office supports the Supervisor. The Supervisor has issued retention schedules for all records. These retention schedules provide a roadmap for records management program. The state has performed three surveys of all city & town halls in the commonwealth. They also support workshops, such as this one today.

The Supervisor has issued 12 bulletins on records management. They are all available on the Massachusetts Archives web site (see handout for disposal schedules at www.sec.state.ma.us/arc/arcrmu/rmurds/rdsmds.htm).

What is a public record? *Anything* created or received in the performance of your public duties.

The Public Records Division (PRD) (617-727-2832) will determine if a public record is actually accessible by the public. Their attorney of the day will answer any questions we might have.

Question: If someone sends an email marked "For your eyes only" is it still a public record?

Answer: Yes, but it could be as an exemption to the public records law. Run the question by the PRD.

Our duties as public records custodians are to see that records are kept in a secure manner and are accessible to those who need them. Ideally they will be saved in a state-approved vault. Only about 50% of town halls have vaults that meet specifications (available on line). When a new town hall is built, it must have such a vault.

The Records Retention Schedule for your specific department is the key tool for the management of your department's records. It specifies the retention period for each type of record. Retention schedules are developed by visiting various towns and cities and working with the Assessor's Association and the Department of Revenue. They evaluate records based on 4 values:

- Administration & operational value, including rules & regulations for records

- Legal value
- Fiscal value (usually kept for 7 years), and
- Long term information/historical value, which are not necessarily “old” records as history is a growth industry and happens ever day (e.g., minutes of town boards).

Of a town’s public records, typically 97% are eligible for disposal while about 3% will be permanent records that may require preservation treatment for permanent retention. Equally important to preserving permanent records is the disposal of non-permanent records in an orderly and expeditious manner to make room for new records. A public records custodian must write to the Supervisor of Public Records to request the disposal of public records – a very simple procedure. Letters of approval received from the Supervisor must be retained as permanent records. When writing for approval to dispose of public records, provide the inclusive dates of the records and the type of records you would like to dispose. By state statute anything dated prior to 1870 *must* be retained as a permanent historical record of the town.

Question: What does secure mean? Answer: Ideally it means storage in a vault, fireproof filing cabinet, or safe. However, this is clearly the ideal case.

Question: Can duplicates be disposed of without approval from the Supervisor? Answer: Yes.

How do people get into trouble with public records? There are two ways:

- Packrat Syndrome. Packrats keep records everywhere, but usually they can’t find a record when they need it. They keep things they could have disposed of (some of which might end up as incriminating evidence).
- Sewer Rat Syndrome. Sewer rats are just as bad. They have a neat and orderly office. As soon as they got something, they get rid of it – often down the sewer. You can loose job or a law suit for disposing of public records illegally.

How do you actually dispose of records? After receiving approval to dispose of records, you can dispose of them via the usual rubbish disposal process. There are no regulations that require custodians to shred records, but you should use common sense in disposing of records that might be sensitive (e.g., assessors or board of health records that might have personal information on them). The commonwealth recommends recycling.

Kaari mentioned that we have a shredding truck scheduled to be in Westford on June 24, 2006, a day after our records management day.

Ginny asked that all records custodians *please* save records that pertain to the history and social fabric of the community. Send them to the Westford Museum or the J.V. Fletcher Library.

Ginny identified the long-term goal of the Records and Archives Management Committee is for the town to have a secure vault for the storage and preservation of town records – both interim and permanent.

Some records must be retained in hard copy, even if microfilmed. In some cases you can dispose of the hard copies (e.g., earning records) after microfilming.

There are two reasons for microfilming: 1) preservation of historic records, where you keep a master negative for creating additional microfilm rolls, and 2) reducing the space required for records storage.

Question: Is scanning of a document the same as microfilming? Answer: Electronic scanning is *not* the same as microfilming. Scanning stores a document in a magnetic medium, and this will not last, as it needs to be updated every 5 years or the data will be lost, and the technology used to create and read it will likely become obsolete, although it is an issue of continuing work.

Microfilming is a proven technique.

It is recommended that research using older records be done off of microfilm instead of using the original records.

Question: What about school attendance records? Answer: The retention schedule for school departments deals mostly with administrative records. School related records are the responsibility of the State Department of Education, and they should be contacted about records such as attendance records.

Question: Are the places around that will do microfilming? Yes, see Massachusetts Archives web site, where there is a list of recommended vendors. Kaari also has a contact for microfilming.

Question: What about departments that don't have a defined retention schedule? Answer: There is a generic Administrative and Personnel Retention Schedule that can be used by many such departments. For specific questions call Mr. French. They do have recommendations for Recreation Departments and a few other specific committees. For special committees, the minutes should be turned over to the town clerk when the committee is disbanded. Written approval for disposal of such records must still be requested by to the Supervisor of Public Records. For most such records the retention period is 3 or 7 years.

Ideally each town hall will have a *Disaster Recovery Plan* and each town office/board should be part of it. If the town doesn't have such a plan, each department should have its own plan. This plan should include a floor plan with the location of records by records type. If records are stored offsite, the plan should have a floor plan of the offsite location with the types of records identified by location. You will need to be able to tell firefighters where records are and which ones to recover first. You should specifically identify those vital records required to keep the office going after a disaster. All are important, but you especially need to identify the "vital" records you would need to reconstitute the department after a disaster. Kaari mentioned that the fire chief has specifically asked to have a copy of such plans.

What is the most common element that destroys records? Water! The good news is that to some extent water-damaged records can be salvaged by airing them out or by freeze drying. It's not as

catastrophic as fire. Rodent infestation and vandalism are additional causes of records loss. To help avoid vandalism, it's a good policy to change locks when there are staff changes.

In response to a show of hands by those in attendance, only the J.V. Fletcher Library indicated that they have a written disaster plan in place.

Question: Are there retention schedules for electronic records? Answer: There are no retention schedules for electronic records such as those stored on servers, etc. (e.g., email, daily backups). A record kept electronically must be kept the same amount of time as is required for the hard copy. If an electronic record's retention period is 10 years or more, it must also be kept as a hard copy or on microfilm. There is a Supervisor of Public Records bulletin on the storage of email. If you have to take official action on an email, it must be printed and retained; typically this is about 3% of your email. Email is a public record and is discoverable in court. Email cannot be used to circumvent the Open Meeting Law.

Question: If an email is sent out to department members with a request for guidance and requesting that replies only be sent to the person sending the email, does it violate the Open Meeting Law? Answer, it does not seem to violate the Open Meeting Law, but this is a gray area, because you don't really know what the other members are doing. Another person said that they usually say "This is what I'm going to do," and if something else comes up in response to this email, then it is taken to an open meeting. Another consideration is that board members are often not town employees and are using their own computer.

Kaari asked everyone present to look at their own department's Records Retention Schedule and to prepare for the Records Management Day scheduled for Friday, June 23, 2006. Note that the town is sponsoring a shredding day on June 24, 2006, at the Crisafulli School where records approved for destruction may be shredded on site in a mobile shredding truck. Kaari has sample letters for the Supervisor if you want to write now about specific records.

Thanks were offered to Mr. French for his helpful presentation, and he reiterated his offer to answer any questions we might have in the future. He will also try to attend our Records Management Day on June 23, 2006.

Respectfully submitted,
Robert W. Oliphant, RAMC